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MAY 23 2023

CLERK U.S. BANKRUPTCY COURT
Central District of California
BY bolte DEPUTY CLERK

8 **UNITED STATES BANKRUPTCY COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
10 **SANTA ANA DIVISION**
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13 In re:

14 Northern Holding, LLC,

18 Debtor(s).

Case No.: 8:20-bk-13014-SC

CHAPTER 7

**ORDER (1) ADVANCING HEARING DATE
ON OSC SET AS A HOLDING DATE; AND
(2) SETTING HEARING ON OBJECTION TO
STIPULATION**

Date: June 14, 2023
Time: 11:00 a.m.
Courtroom: 5C - Virtual

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21 On May 11, 2023, the Court held an evidentiary hearing on the order issued
22 October 18, 2022 [Dk. 359] which required LeRoy E. Codding IV, individually and on
23 behalf of certain named entities, to appear and show cause why he should not be held
24 in contempt for the activities specified therein. Upon the conclusion of the hearing, the
25 Chapter 7 Trustee and Mr. Codding reached a resolution, which was placed on the
26 record. As a result, a continued hearing was set for June 15, 2023, at 11:00 a.m. as a
27 holding date only, pending entry of an order approving the parties' resolution.

1 On May 15, 2023 [Dk. 394], the Chapter 7 Trustee filed a stipulation entered into
2 with Mr. Codding, which "serves to supplement the stipulated terms stated on the
3 record." [Dk. 394, pg. 5:5] ("Stipulation"). On May 16, 2023 [Dk. 397], Agwest Farm
4 Credit, FLCA filed an objection to the Stipulation ("Objection"), objecting as follows:

5 Paragraph 7 of the Stipulation provides that of "the funds paid to the Estate,
6 \$40,000 shall be allocated to the payment of Trustee's attorney's fees ... and no
7 lien of any kind shall attach to such portion of the funds, including the liens of
FCW." The proposed order approving the Stipulation ("Order") (Dkt. 395)
contains virtually the same language paragraph 10.

8 AgWest objects to paragraph 7 of the Stipulation and paragraph 10 of the Order
9 because AgWest is not a party to the Stipulation and was not provided with any
10 notice that the Trustee would be seeking to extract payment from Leroy E.
11 Codding, IV that is free and clear of AgWest's liens. Furthermore, the Trustee
12 already agreed that such proceeds are subject to AgWest's liens. See Docket
No. 211. The Trustee has provided no basis to unilaterally circumvent this
Court's prior order. AgWest is in the process of meeting and conferring with the
Trustee regarding these issues.

13 As of entry of this order, the docket does not reflect any further activity indicative of a
14 resolution of the foregoing Objection. Accordingly, the Court finds good cause to order
15 as follows:

- 16 1. The Objection is set for hearing on June 14, 2023, at 11:00 a.m.
- 17 2. The parties shall file a joint stipulation which addresses the outstanding
18 issues and which is reflective of the parties' varying positions, with legal
19 support, by no later than June 5, 2023.
- 20 3. The holding date of June 15, 2023 on the continued OSC is hereby advanced
21 to June 14, 2023, at 11:00 a.m.

22 **IT IS SO ORDERED.**

23
24 Date: May 23, 2023


25 Scott C. Clarkson
26 United States Bankruptcy Judge
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